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Rev. Mr. THATCHER's Pamphlet,

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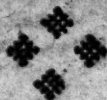
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N E W - E N G L A N D :

**With Strictures upon the Power of dismissing them, usurped
by some Churches.**

By J. S.—a Layman.

**" He that is first in his own Cause seemeth just,—but his
Neighbour cometh and searcheth him."**



B O S T O N :

**Printed and sold by BENJAMIN EDDES and SONS, in Cornhill,
M,DCC,LXXXIV.**

STRIOTUR

Rev. M. THATCHER: Pamphlet

OBSERVATIONS

STATE OF THE CLERGY

W. W. A. O. & W. D.

W. W. A. O. & W. D.

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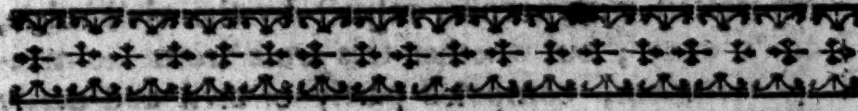
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By W. A. O. & W. D.



Printed and sold by Benjamin Haas and Son, 10, Strand.

MDCCLXXXV.



STRICTURES, &c.

THE author of the pamphlet, on which the following strictures are written, has a character well established: he is worthy as a patriot, respectable as a clergyman, and amiable as a gentleman. Thus viewing him, it is by no means a pleasing task to contend with him, or even to suggest that he is in an error. But the picture he has drawn of his country-men, seems rather to have proceeded from the hurry of his own alarmed apprehension, than from the true trait arising in his mind upon a cool and impartial view of the subject. Indeed there is so little of the original to be found in the picture, that he will himself, if his usual patriotism and candor of disposition have not forsaken him, not only acquiesce in this investigation, but confess his error.

I have too great a regard for the memory of the first planters in New England, to contend with him respecting the degree of toleration they possessed; but shall leave it to him in some future publication, to prove from their acts of church government, and the laws now in being made in their day, that they abhorred persecution as much as he suggests they did. That the ministers of the gospel, in their day,

were treated with peculiar respect by the civil rulers, I don't deny ; but whether this arose from the motly government, composed partly of civil and partly of religious principles, let those determine who are acquainted with it. This one fact remains on record, that *none but members in full communion with the congregational churches, had a right to vote in the affairs of civil government.*

I know too little about the state of religion in this commonwealth, to contradict Mr. Thatcher's assertion, that the want of attachment to the clergy, if there is any, arises from a *decline* of the spirit of religion. I think, however, that should the time come, when the people of the state should cease to feel a proper attachment to the ministers of the gospel, it would be evidence of the decline of vital piety in the land : but, as I shall shew presently, the attachment which the people have formerly had to their ministers, is by no means abated, although that servile awe, which, in a royal government, was felt both towards magistrates and ministers, may have been dissipated by the revolution.

The state of the clergy in New-England, as drawn by our author, is not only as miserable as the state of human nature can admit of, but as miserable as that gentleman's strong imagination can paint it. As he describes it, while the Americans have, through much expence of blood and treasure, obtained the free enjoyments of their civil rights, the clergy have not only been under peculiar sufferings in the time of a paper currency, but are now neglected by the good citizens, who are under the most solemn obligations to yield them a support ; that the people have forgot-

ren that they can never be emancipated from the ties of justice; that the poverty of the clergy has made them liable to be despised in many places; that they are universally suffering under the delay of payment from their people: and not only so but that the doctrine hath become fashionable with many, that the clergy are the creatures of the people, and ought to be kept in the closest dependence upon them.

That ministers are created such by the people. Mr. Thatcher will never deny, because he has too much good sense, and too much regard for his own character, to assert that the ministers have, in these times, a commission from Heaven to evangelize at large, or that they ever had one to any particular place. And if they are popular servants, they undoubtedly ought to realize a proper dependence on the people, as much as the civil officers in democratical governments commonly do.

But was there evidence to support the charge which this author has, I think, too hastily brought against the people of this state, every whig must feel himself chagrined to the heart, and the soul of every patriot would be wounded even unto death. The refugees and tories would triumph, and our enemies in Great-Britain would have a compleat victory over us: for, it is well known, that Great-Britain made the progress of a national episcopal church, one great engine of the system of slavery intended for the colonies; and, in proportion as they sunk the dissenting interest, they gained advantages on this head: and indeed, though the operations of it must, in their nature, have been slow, and perhaps not attended with all that success which the Britons vainly expected, yet

it cannot be ranked amongst the most foolish of their plans. The dissenting clergy of this state were alarmed at this ; they exerted themselves generally for the preservation of their civil, as well as their religious freedom. The patriots and heads of the people called upon them to lend their aid, and no one order of men yielded America more assistance than they afforded ; they strengthened the hands, and comforted the hearts of the people, in the hours of their greatest distress. Some of them were more extensively useful than others, because they had better abilities, and more opportunities. There were some clergymen in the state who were enemies to the people, who can never plead the excuse of timidity, for they gave evidence of a malignancy of heart, a rancorousness of disposition, and a turpitude of soul, which will ever cause them to be held in abhorrence and detestation by every friend to his country : their appearance must forever wring tears from the eye of the widow and the fatherless, whose husband and parent have been slain on the high places, in defence of their country's freedom. They never can be forgiven, not even when the people (should that day come) shall be as much lost to social virtue as our author says they *now* are.

But as I feel myself much injured, as a citizen, by Mr. Thatcher's charge, I will proceed to revise the foundation of it, if it hath any.

The clergy in this state, who have been settled since the year 1750, have contracted with their people for a settlement of no less, generally, than sixty, or more than one hundred and forty pounds. I believe there have been as many contracts made under
sixty

sixty pounds, as above one hundred and forty : and the salary given, has been generally from seventy-five to one hundred and twenty pounds a year. The ministers before the war, lived, though not in a splendid, yet in a very decent and gentleman-like manner ; I mean those who were men of good sense and prudence : they saw their friends agreeably, and very frequently gave their children as good opportunities for an education as other people did. I believe that no order of men in the government sent more sons to college than they did. But, as their living arose, in a great measure, from an annual salary, when the country suffered under the oppression of paper money, they became *peculiar* sufferers ; but I believe, and I have had occasion to know as much about it as any man in the state, (let people, however, inquire for themselves) that there was not a single town or parish where the minister stood well with his people, but made grant after grant, to supply deficiencies happening by the depreciation ; but still before the money could possibly be collected, the rapid depreciation of the currency laid a foundation for a future demand. I have (let Mr. Thatcher have made what observations he might) been astonished to see the people borne down with taxes, suffering themselves by being obliged to receive their own debts in paper money upon a par ; yet voluntarily, in every town, making grants to their ministers. After all, it is to be confessed that justice was not done them, but those only who gave discharges, suffer in common with others who received paper money for silver, while those who gave no discharges have yet a remedy.

Sufferings arising from this cause, let them have been ever so great, can by no means support our author's

that's charge, that the spirit of religion has declined, and that the clergy are poor, despised, and neglected: it may be evidence of the decline of paper money, but of nothing else. Every generation declaims loudly against the wickedness and folly of their own day; but I do not believe that the present possessors of New-England, are more abandoned and more irreligious than their ancestors were. There is not quite so much formality and affectation, if there is so much hypocrisy, in either ministers or people now as there used to be; but science extends itself, the arts are more attended to, urbanity prevails, and the angelic affections of the heart are more cultivated: hence springs that spirit of charity and toleration, that was very little known a century ago in this state. The world, undoubtedly, grows more civilized, and humanity is now become a cardinal virtue amongst the nations: hence wars, either civil or national, are not conducted with so much ferocity as they have heretofore been. This is, in a great measure, owing to the spread of that gospel which speaks peace on earth and good will to men; and it is peculiarly hard if we who have the gospel in its purity, expounded by as upright, and able a set of divines, as any country was ever blessed with, should grow lean in so fat a pasture, and worse under the improvement of such privileges.

The next proof of our irreligious disposition is, that the stipends originally granted are now not quite enough to keep the clergy from suffering. This is by no means a general grievance amongst the gentlemen of the cloth; but wherever the calamity is felt, it furnishes room for inquiry, both with the minister and people. He should inquire, whether his pa-

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rish are not generally as much reduced as he is, I say *generally*, because if a lucky circumstance has made one or two rich, it is no cause of envy in the bosom of a minister, nor can it be improved as a reason to his people, to augment his living. The people ought candidly to enquire, and if they find their minister to suffer beyond measure, they ought to relieve him. I do not believe that Mr. Thatcher himself supposes that a christian minister ought to be placed above the reach of the calamities of the people of his charge.

The other complaint, that the salaries due are a long time out before payment is made, I believe has some foundation, and that the ministers are great sufferers by it. But I should have guessed that Mr. Thatcher's candor, the well known delicacy of his feelings, and his great attachment to his country, would have rather sought out a quickning apology for, than a declamatory and cutting proclamation of the disgrace of his fellow citizens. He might have said, that they, for eight years past, had borne taxes that no people on the face of the earth ever experienced before; that they have had claim upon claim, address upon address; and some of them solemnly delivered from the desk, in order to give them a peculiar weight, in which were exhibited at once, the unparalleled virtue and sufferings of their brethren in the field. They were told that their credit was at an end; that their country was lost, and their posterity enslaved, unless they performed the most noble exertions, and made the greatest sacrifices. Their necks are yet bleeding under the yoke, and they must have time to breath before their pristine punctuality of paying salaries can return. Should the clergy now

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show no pity for their people, or should they contend for new powers, it may bring on the calamities which our author describes, and produce the mischiefs for which, I think, he is prematurely seeking a remedy.

But I now come to a standard where I think we must determine whether Mr. Thatcher's charge has a foundation or not. How have the people of vacant parishes conducted themselves since the war, since the revolution, and since that great decline of religion, which Mr. Thatcher supposes, and which he believes to be, the cause of that base treatment of the clergy which he describes? I think that an answer to this question must determine who is wrong, he or I. If the people of vacant parishes have neglected to settle ministers, have parsimoniously withheld their money, and lived without a preached gospel, or have settled those who would settle on the cheapest terms, I will acknowledge that there is a sad decline of the spirit of religion, and that there is some foundation for our author's charge. But if the people have in many places augmented the salaries of their ministers who threatened to forsake them; and if the people of vacant parishes have used all diligence to settle ministers, and have given them more ample settlements, and greater salaries, than were ever given before in this state, or in any part of New-England, then there is, I think, good evidence (according to Mr. Thatcher's idea of evidence in this case) not only to defend us against the charge, but to prove he has gone altogether on a mistake.

A particular attention to facts will best decide this question. Since

Since the war there have been settled in Boston, the Rev. Mr. Eliot, Mr. Clark, Mr. Wight, Mr. Eckley, and Mr. Everett; either of these has a larger salary than their predecessors had. There is Mr. Chaplain of Groton, Mr. Williams of Northampton, Mr. Ripley of Concord, Mr. Shaw of Haverhill, Mr. Hilliard of Cambridge, Mr. Eliot of Watertown, Mr. Porter of Roxbury, Mr. Osgood of Medford, Mr. Mellen of Barnstable, Mr. Bently of Salem, and Mr. Hubbard of Marblehead; Mr. Foster of Littleton, and Mr. Bullard of Pepperrell, and many others I mention not: let any one inquire into the settlement and salaries of those gentlemen, and he will find that the same was made upon very generous and liberal principles; and I believe that they will be found to be thirty per cent. higher, upon an average, than those of their predecessors were. I do not say that this is fact, but let the public inquire for themselves: I believe it; and I apprehend it to be of importance enough to demand an inquiry; and if this is the case, where is Mr. Thatcher's evidence of a decline of the spirit of religion? Or where is his proof to support his heavy charge? I wish Mr. Thatcher to revise his sentiments; for surely, if he is wrong, his pen must injure himself and his brethren. The public will believe that he is *not alone* in this work; and he who injures the gospel ministers of this state, or shall lessen that respect justly due to them from the people, or that influence which they ought to have according to their order, will do an irreparable injury to the commonwealth.

Mr. Thatcher's alarm respecting some churches
usurping the right of dismissing their ministers when
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they please, has, in my opinion, less foundation, if possible, than his other complaints. One would be led to suppose from his pathetic declamation, and his dismal account of the state of the clergy, that the whole order was in the utmost danger, and that the idea of christians associating had come to an end. It is certainly best to examine facts relating to this matter, before we adopt Mr. Thatcher's conclusion.

When men feel the effects of fear in any extraordinary degree, they become quite incapable of drawing right consequences; because the premises appear to them to have a force quite different from what they would, to an impartial, cool, and deliberate mind. Had Mr. Thatcher not been a clergyman, or had he been sent as an indifferent judge, to review the state of the clergy, he would have given an account of the matter very dissimilar from what he has done. It is no disgrace, but an honor, to human nature, that we feel more sensibly, when either our own or our associates interest suffers, than when a stranger is the patient: and, therefore, when a writer is thus situated, he certainly would have more weight if he examined carefully the facts whereupon he erects his declamation or argument, than in uttering the engaging feelings of his own heart without attending to the evidence.

The complaint is, that some churches have usurped the right of dismissing their pastors at pleasure.

If Mr. Thatcher intends here no more than his words as used by other writers commonly mean, his convention for making a new system of ecclesiastical polity,

polity, unless he establishes an hierarchy, can do him very little good, as I shall consider presently. But if he means by the churches usurping this right, that parishes have usurped it, and pretend to remove their teacher of religion and morality, at pleasure, it is quite a different consideration. That this is his meaning I conclude from his melancholy description of a minister's being turned out to graze after he is past his labor. I understand this expression of being turned out to graze to be a metaphor intended to convey the idea of his being turned off to support himself.

The author either intends to make his reader understand that this has become a general practice, or that the public opinion is strongly inclined this way. He uses the expression "*some churches*," but adds in another place, that it has become with many a fashionable doctrine, that the people may dismiss their minister when they please. How many he intends by the expression of many, is as impossible to determine, as it is to say how many he means by *some churches*. I shall, therefore, examine the facts as far as I know them, and leave Mr. Thatcher to state others if there are any.

I know of but three instances which can give a colourable foundation to his complaints; and when these are viewed in a proper point of light, with all their peculiarities, with all their circumstances, and weighed in the balance of right reason, and with no greater share of candor than is necessary to cast the tinge of approbation on the common actions of human life, I am convinced that they can neither justify or excuse the publication which has called forth these strictures.

One

One was the dismissal of the Rev. Mr. Goss of Bolton. The people of that place laboured under a series of difficulties hard to be borne; perhaps they expected too much perfection in their minister, and were disappointed: the body of them were men of good report, but of a stinted education; they were unacquainted with the world, and therefore were incapacitated to make those allowances which human nature has a just claim to: but they saw their minister, as they apprehended, guilty of immoralities, and thought him guilty of falsehood. They called council after council, but could not obtain redress: thus, feeling themselves oppressed beyond example, they, in consequence of the advice of a council of ministers in regular standing in the churches, settled Mr. Walley. But this all happened before the revolution; and if it was ever so wrong and irregular, it can by no means justify the charge, that the people, being emancipated from oppression, conceive themselves to be emancipated from the obligations of justice and honesty. One other instance is that of Mr. Mellen, of that parish in Lancaster now called Sterling. I have heard that the life and doctrine of Mr. Mellen were quite irreproachable, excepting in the affairs of politics. This is a matter that, in regard to Mr. Mellen's character, I wish to say little about. Thus much is, however, publicly known; that the people there believed him to be in opposition to the measures of the country; whether he was right or wrong, sober principles, crowned with the most brilliant success, and excellent consequences, may decide. The people religiously believed it to be their duty to assert their right to freedom. By this they became involved in a bloody and dangerous war. This in scripture

ture is mentioned to be one of the greatest calamities with which the all-wise Governor of the universe commonly chastises a nation. It was a public calamity, and the direction, both by the precepts and example of our holy religion, is to seek to heaven, and, as a nation, to implore the Divine mercy. Our acts of public devotion have at all times been carried on under the lead of our parish ministers : but Mr. Mellen's people had no minister ; his political principles forbade his offering their petitions against those who were about to swallow them up ; and why it was not a part, and a necessary part, of the revolution, to subvert his standing, I do not conceive. Why a tory clergyman should not, in a revolution like ours, be carried down in the common wreck, with tory magistrates, I leave our author to determine. If the influence of the whig ministers was so useful on the side of their country, common sense and useful prudence would dictate, that those ministers who were warmly engaged on the other side should be silenced. There was at that time no law, either to put a stop to ministers or magistrates merely because they were the tools of slavery. And why the magistrates and judges of this day should not sound an alarm, that they are in danger, because the people impeded those who held those offices in the day of trial, I leave Mr. Thatcher upon his own principles to decide.

I do not consider the dismissal of Doctor Byles of Boston as a subject of Mr. Thatcher's complaints, — and therefore shall consider Mr. Fuller's dismissal as the other instance within the state remaining unmentioned, if there are any others Mr. Thatcher will be obliging enough to speak of them.

The

The case of Mr. Fuller, has had a long and solemn trial in the supreme judicial court : but as he has a right to review, and the matter may again be tried, it would perhaps be an injury to him to be particular : it shall therefore suffice at present to observe, that the church of Princeton did not dismiss Mr. Fuller without the advice of a council ; the Rev. Mr. Mc Carty, Mr. Haven, and Mr. Sumner, with every delegate present, advised to his dismissal : upon these principles, as they have solemnly sworn, that Mr. Fuller, by his practice and conversation refused to join in a mutual council. The Rev. Mr. Rice, and Mr. Woodward were the only persons on the council who dissented. The complaints against Mr. Fuller, were similar to those against Mr. Mellen, with the addition of some others respecting his remissness and levity in the duties of his office, and some arbitrary and tyrannical proceedings in church government. The people there reasoned in this way, it was the general consent and according to the ideas of church government, insisted upon by Mr. Fuller and his supporters, that when the minister or the church should unreasonably refuse to call a council, an ex parte council might be convened by the aggrieved party, and that their result should be decisive. In other matters each court has the sole power of deciding whether causes are properly brought before them, and why this council should not have this power it would be hard to assign a reason to suppose an higher power which could revise, and controul a council, would either suppose their results revisable by the civil power, or the existence of an infallible earthly head of the church, or in other words an hierarchy with power over the creeds and consciences of men. Now let this council whose lives are

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irreproachable, and whose judgment in other matters are uncontroverted, have proceeded in a manner as wild and as extravagant as could possibly be conceived of : it can surely be no foundation for the observations which have, I think, hastily escaped the pen of our author.

Here I might stay my pen ; for I think, if I am not quite mistaken in the facts I rely on, and if I am, I shall cheerfully confess my error, that there is but little foundation for the alarm founded by the gentleman whose sheets I am considering : I shall only add here, that I am well satisfied that the body of our fellow-citizens are seeking in the path of good order, honesty and prudence, their own felicity ; and sure I am, that while they are in this pursuit, the respectable order of the clergy will neither be unsupported or neglected.

When men of weight and influence write, their love to their country will call in caution to guide their pens ; because, if they should suffer any thing which might have a wrong influence to escape them, it may sink deeper than they intend, and be improved in future to the injury of the people. The production under consideration, I will venture to say, with regard to the strictures on a supposed usurped power of churches, wants precision ; for Mr. Thatcher has blended the right of the church, which is a religious body, and the rights of the parish which is a civil body, together, and then dilates, with all his fund of pathos, on the cruelty and injustice of the supposed usurpation. But I shall consider them as two distinct bodies, the one being in its nature incapable of having

a power on earth to decide for them, and the other as having no right to decide in their own cause, but being obliged, in all cases, to appeal to an impartial tribunal.

When I say a church is incapable of having a power on earth to apply to for decision, I speak as a civilian, and mean only, that the civil law has no controul over them as a church: which I think will clearly appear from a description of a christian church,—such, I suppose, Mr. Thatcher intends. Every body of men who come into a social compact, do it upon some system or other; if they originate from a political union, they are a political body, and are forever governed by politics. If they have their origin in a statute, or by charter from the civil power, then they are a civil corporation, and are governed by municipal law. If they are a religious society, then they are governed by the principles of the religion they profess. If they are Jews, they are governed by the pentateuch; if Musselmén, by the coran; if Christians, by the gospel: and the moment they cease to be governed by the principles which gave them their origin, they change their nature, and are either annihilated, or become something besides what they were before. A third power to appeal to, in matters of controversy, must be vested with coercive force: but who shall judge and condemn a church of Christ, for either their faith or practice, I am obliged to beg Mr. Thatcher to inform me.

A congregational church, and such I believe Mr. Thatcher means, according to the definition given in what has been called the New-England Platform, and in

in other tracts, " is by the institution of Christ a part
 " of the militant visible church, consisting of a com-
 " pany by calling united in one body by an holy co-
 " venant for the public worship of God, and the mu-
 " tual edification of one another in the fellowship of
 " the Lord Jesus."

This I take to be clearly a religious body : they are in this character, strangers to every syllable of civil or municipal law, otherwise than their obligation to obey the laws and ordinances of men, where they do not controul the rights of conscience ; or, in other words, where such laws and ordinances are enacted for the protection of persons and property, and the security of the peaceable mode of worship of each individual. Yet, as citizens and members of civil society, they have all the powers and privileges of other men, with an additional weight in all, if their lives are correspondent to their holy profession.

Yet they can by no means, as a church, or as a synod of churches, decree any spiritual or temporal penalties : the utmost stretch of their power is, to forsake the community of those persons at whose life and manners they are offended.

There needs, however, to be but very little said in order to prove that a church, impotent and weak, as I have represented this to be, hath a right, beyond all obligation that human laws can lay upon them, to dismiss their pastor when they please. Churches may advise churches, and members may reason with members ; but to advise will always suppose, that the advice may be accepted or rejected : and should it be
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rejected, I know not to what earthly tribunal the pastor, as a pastor, could repair with his complaint against his church.

I consider the character of a minister of the gospel, settled in the common and ordinary way of New-England, as the pastor of the church and the minister of the parish. The practice of the country has been, for the church to give the minister a call to become their pastor ; in this nothing is ever said relating to money or the things of this world : and it would very often be better for the minister and church, if there was not quite so much said about those of the other world ; because it too frequently proceeds either from ostentation, enthusiasm, or comes forth as a matter of course. The relation between the church as a church, and their minister, has always, in this country, been apprehended to be a spiritual relation, to which the forms of all our ordinations have given ample testimony. Now I conceive that this relation may be dissolved in divers ways ; first by the mutual consent of the parties ; secondly, by the pastor's leaving his people against their consent ; that is, by withdrawing himself from the services of the sanctuary ; and thirdly, by the members withdrawing themselves from his care and instruction. Should they all die, he ceases to be their pastor ; should they all become Baptists, Quakers, or Episcopalians, they cease to be the people of his charge ; and should they withdraw themselves in any other way, he has no longer the charge of them. I know of nothing more in a church's dismissing their pastor, than that they unanimously vote to withdraw themselves from his care ; if they are not unanimous, those who are in the minority, and

and in his favor, will still be his church. The vote of the majority, in cases of conscience, which is always the foundation of religious associations, can by no means be binding upon the minority : all those who withdraw themselves, are no longer of the church : and should the whole church withdraw themselves, as I shall show presently, he is still the minister of the parish, and intitled to his salary, provided his misdemeanors do not forfeit it.

By the old state laws, the church-members, that is those who come to the communion table, had the sole right of electing the minister of the parish : and when a majority of those members had agreed on the man, although the freeholders and inhabitants, not in communion, were to a man against him ; yet the advice of five neighbouring churches being had, the man was settled, become the minister of the parish, and the court of sessions had a right to assess the inhabitants to his support. This glaring piece of religious tyranny was founded upon one or the other of these suppositions : that the church-members were more religious, had more understanding, or had higher privileges than, or a pre eminence over those who were not in full communion ; or in other words, that their growth in grace, or religious acquirements, gave them the right of taking and disposing of the property of other people against their consent. The spirit which dictated this law, was the never-failing source of dissention, and had its effect in the producing Quakers and Baptists in abundance, whose powers increasing with their number, compelled the government to pass sundry acts of toleration, which have long been in force.

But

But our declaration of rights, the happy basis of our constitution, provides not only that there shall be no subordination of one sect to another, but that the several towns and parishes shall, at all times, have the exclusive right of electing their own teachers of religion and morality : not that the church-members of each town and parish shall, but the town or parish, as a civil corporation, shall have this right, which is all that could be done in the nature of free exercise of conscience in religious matters. For if the people, as a body, have authority to dispose of the church, Christ is not the head of it, and each christian's conscience the only tribunal where a question relating to his conduct with regard to it, can be tried. If the church do not agree that the teacher chosen by the parish where they are inhabitants shall be their pastor, they may choose another ; but they cannot expect the parish to maintain them. The first principle in a civil corporation is, that a majority shall govern : the first principle in a religious body is, that they will act according to the dictates of a good conscience, advising, *not counselling*, one another. There is nothing more plain than that when they consent to do that which their consciences disapprove, they do not act as a religious society.

A church I know is often mentioned as a body in our laws : they may take donations, &c. but this is only a description of the persons ; and so far as they receive strength from the civil law, so far they are a civil society ; and when they derive all their strength from civil authority, they are then a civil corporation.

The utmost stretch of power, ever assumed by a church

church in any country has been to excommunicate the heretical brother. Formerly where the Roman Catholic religion prevailed, the person excommunicated was thereby disfranchised, and at some times was in a state of outlawry. This was probably the case in Massachusetts so far as to exclude his voting in the election of officers when this country was first settled. But there has been no instance in any country where the church have decreed or executed temporal punishments. They delivered the culprit over to the secular power, who used to hang, broil, or burn, the offender as they tho't fit: the statute *de heretico comburendo* was made undoubtedly by the influence of the priests, but executed by the magistrates.

A consociation of churches has been a darling point with the ministers of this country: but there never was a vote or order obtained that they should have coercive power over one another, or that a minority should submit to a majority. Before the Cambridge platform, in 1646, the churches used to appeal for light to Mr. Cotton's book, called the *power of the keys*.

When the platform was completed, it was very far from being universally received; and when it was adopted, all the power which the disciples of it ever pretended to was that of censure and excommunication. The advice of a council, as Mr. Norton expressed it, was to be given *where the church wanted light*. But they must, I think, be their own judges whether they wanted it or not. Mr. Davenport said, that where a church would not receive *advice* from their neighbour, all communion should be withdrawn from them. In 1694 the united ministers of the

the churches, called Presbyterians and Congregationalists, published what they called the heads of an agreement, wherein all they pretended to, was the right of excommunication. It would be injurious to our national character to suppose that they ever meddled with temporal matters, or inflicted temporal punishments, or determined upon questions of property. The idea of excommunication, when accompanied with a sense of guilt in the sufferer is very disagreeable : but if the conscience is clear, and all stands right within, it is now of very little consequence. The influence of that old lion of Rome, whose teeth were whetted by wealth, whose claws were expanded by corruption, whose strength was supplied from the table of ignorance, and whose rage was the flame of *irreligious* enthusiasm, has now ceased to roar, and the religious world is in safety.

I cannot but believe it to be very clear, that the churches, as such, have no power in temporal matters, and that each church is a separate, independent body, who will always prudently seek *advice*; but can never, with regard to their faith or mode of worship, or any act they do as a church of Christ, be amenable to any power on earth.

If this is the case, why should Mr. Thatcher wish a synod of churches? Does he pretend that such a body could enact laws to prevent a people's turning their minister out to graze? What authority could such a body have over the money of the citizens? How do they derive any authority from the people? Or how are the people represented in them? These questions ought all to be settled previous to the convention of this body. But when they are there, how

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can they give energy to their edicts, or force to their resolutions? I should conceive such a body to be a reverend, respectable congregation of speculators, doing as Mr. Thatcher and I am doing, throwing out sentiments which each man will condemn or approve, according to his humor, interest, or understanding. When a proposition is laid before them, they will surely exclude every idea of establishing it as truth by the voice of their majority, or of compelling others to believe it. If it contains a matter of a civil nature, they can have nothing to do with it. If it is a religious matter, it is a personal thing, and every one must believe and practice for himself: to his own master, not to them, he is to stand or fall. All that such a synod could do, would be to express their then present opinion on the matters before them, with a most solemn resolution to recede from it when they should find they were mistaken.

Mr. Thatcher will then say that the church thus disarmed, is solitary in the wilderness, and in a very distressed state. But I have to tell him what he has long since learned from others, that the church, not only unallied to, but in opposition to secular power for the first three hundred years after our Lord's ascension, increased with more purity than it has done in any three centuries since: and when the line is properly drawn between the character of the clergy, as pastors of churches, and as ministers of parishes, there can remain no difficulty; or if there is any, the means of redress will be obvious. A few hints upon that head shall close this publication, which by references to church history, and other matters better to rest than to be agitated, might have been swelled to a greater size than is consistent with the design of it;

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According

According to the custom of the country, now done away by our declaration of rights, the church made choice of the minister as their pastor : but the laborer being worthy of his hire, no answer is given until the parish agree to take him as their minister, and vote a salary.

A law under the old constitution gave the church a power (five churches advising thereto) to settle the minister without the parish : and by the same act, if there were three hundred voters in the parish, and the church consisted of twenty members, the town could not have a minister if ten of the twenty were against it. But now, the town, as a town, have the vote to themselves. When a minister is settled, the church, as a church, have no right to dispose of the money of the parish. The contract is between a civil corporation and their teacher of religion and morality, for his yielding them the services stipulated, and their paying him the money, or annual salary, agreed upon. When they fail to pay according their covenant, he does not go to an ecclesiastical tribunal for damages, but to the courts established by the laws of the civil government whereupon his contract is founded. And all the difficulty arises upon this question, whether the tribunal he appeals to shall have the power to give the case against him if he ought to lose it ?

On the one hand it is said that if ministers are tried by a jury, they are not tried by their peers, nor do they have a fair chance. Let this be examined a little.

If ministers only are to try ministers, then the people are not tried by their peers ; and such ministers alone

alone would be supported whose doctrine and life would be agreeable to the majority : or if the church chose half the council, and the minister the other half, there would be no certainty, or very great probability of their agreeing. And when such council should be convened, the major part of them would be laymen, each having a vote equal with their pastors, they would not be more impartial, or better judges of the minister's conduct there than they would be in the jurors stand of the Supreme Judicial Court ;—nor do I conceive that they would be more ably assisted. If the objection to this is, that the jurymen are not always in communion with the congregational churches, I answer, that Baptists, Quakers, and those who realize no obligation from a contract made with ministers, are always taken off ; and there are but few others who are not in covenant by baptism or otherways, with some church or other, that appear as jurymen : but if those who are not church-members in full communion, and having no particular prejudice against ministers, are unfit for jurymen in this case, why are they competent in trials of life, fame, and great property ? Is no man's property as dear to him as a clergyman's ? Or is his fame and reputation of more value than that of a magistrate, or other characters who submit to a jury drawn from the box ? Or do the good people of this state receive any extraordinary illumination from on high, when in a council, more than they can have in a court ?

If the prejudices of the people against ministers are become so inveterate and extensive, that, when they are under oath, they will be guilty of perjury and corruption to wrong them, it is in vain for clergymen to seek another mode of justice in a popular government.

government. It is a calamity that will not affect them alone; the whole land will groan under it, and all must suffer alike. But I am happy in being convinced that the clergy of this state stand on as broad a footing to obtain justice, as any denomination of men whatever; nor am I less happy to see, that they possess as good characters, and are as well beloved by the citizens, as any order of men in the commonwealth: but when they come to touch the property of their fellow citizens, we are obliged to enquire by what authority they do it; and are compelled, in our own defence, to aver that church members are not elected by the people; that they receive no power from them; that they do not originate from any law made by the representatives of the people; and therefore, can have no right to dispose of the people's property, or to pass any decree or order that may affect it, and that all synods called for that purpose, are infringements on the rights of trials by jury, and against the constitution.

The ministers were assisting in the compiling of our constitution; and there it was supposed by them and their brother members, that their rights were, in no instance, distinct from those of their fellow citizens. They are eligible to a seat in the legislature, and if they feel themselves, with regard to their wages or other property, injured, they will there obtain a remedy.

In matters of a religious nature, relating to the christian religion, I hope the gospel is as good a rule as we can have; no man, or body of men, hath authority to add or diminish: by that every man must stand or fall, and to that let all appeal.

APPENDIX.

SINCE the foregoing sheets were sent to the press, I have recollected that there were some other dismissions of ministers since the commencement of the late war, which I have not mentioned.—Amongst which were those of Mr. Whitney, of Petersham, and Mr. Hill, of Shutesbury. The charges against both these gentlemen were their opposition to the people in their struggles for freedom and *religious liberty*. There was a council called upon Mr. Whitney, I believe it was *ex parte*, on his not agreeing to one mutually appointed; be that as it may, he refused to submit the matter in dispute to their cognizance. Whereupon, a question was agitated and put, whether they would proceed to hear the grievances of the church, which passed in the affirmative by a majority. The pastors present happened to be in the minority; and recollecting that *the voice of the majority was not binding in matters of a religious nature*, they withdrew. The delegates present proceeded to a hearing, and advised the church to a dismissal of their pastor;—which was done accordingly. I think those gentlemen who thus advised, did their country great service in supporting the idea, that a minister is not always necessary to a council on church disputes.

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The affair of Mr. Hill, was rather more troublesome.—He and his church could not agree to a mutual council : he chose tories, and they chose whigs—and each made objections to the nominations of the other. This drove each of them to the expedient of *ex parte* councils, whose results were, as might be expected, diametrically opposite to each other. The people, by advice of their council, shut him out of the meeting-house.—He then opened the door of his dwelling-house, and set up what he called public worship there. In this place, surrounded by a few faithful friends, who could rail at the “*money made of oakum and isinglass*,” he continued to pray for his rightful sovereign, the King of England, and for the ruin and destruction of his country.

Mr. Morse, of Shrewsbury, and Mr. Dana, of Groton, left their people by agreement, *and departed in a sure and certain hope of a glorious restoration, when their country should be subdued by Britain.*

Mr. Thatcher does not surely complain of severity in the treatment of these men ! Nor does he suppose that because the noble exertions of the people, when under oppression, caused their parishes to spew them out, the clergy are in danger ! Nor are the clergy of this state grieved at those proceedings.



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